

## REMARKS

Reconsideration of this application is respectfully requested.

Initially, the undersigned would like to thank the Examiner for the courtesy and assistance extended on behalf of the Applicants during the telephonic interview conducted on May 6, 2008, with the undersigned.

In the Official Action, the Examiner repeats the rejections of the claims. Specifically, the Examiner rejects claim 1 under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 5,681,260 to Ueda et al. (hereinafter “Ueda”) in view of U.S. Patent No. 6,958,577 to Biglieri et al. (hereinafter “Biglieri”) and further in view of U.S. Patent No. 6,594,517 to Nevo (hereinafter “Nevo”). Furthermore, the Examiner rejects claim 8 under 35 U.S.C. § 103(a) as being unpatentable over Ueda in view of Biglieri.

In response to the previous Official Action, claim 1 was amended to recite a position detecting means for detecting position of the capsule endoscope and the moving means controls the movement of the examination table in a corresponding manner to the position of the capsule endoscope. The Examiner argues that such newly recited features are shown in the references. In the “Response to Arguments” section of the Final Official Action, the Examiner argues that Ueda discloses such an arrangement. At page 3 of the Final Official Action, the Examiner argues that Biglieri discloses moving the patient table instead of the magnetic structure to image the patient.

Although Applicants respectfully disagree, in the interests of advancing prosecution, claim 1 has been amended as suggested by the Examiner during the interview. Specifically, claim 1 has been amended to recite (in clean copy for the convenience of the Examiner) a capsule endoscope system comprising:

“a capsule endoscope, of which movement is controlled by a magnetic field externally applied;  
magnetic-field generating means for generating a magnetic field focused on one point to control the movement of the capsule endoscope traveling in a body cavity of a subject lying down on an examination table;  
moving means for moving the examination table relative to the magnetic-field generating means;  
a magnetic-field generating member arranged in at least one portion of the capsule endoscope;  
position detecting means for detecting position of the capsule endoscope; and  
an examination table drive control unit for controlling the movement of the examination table,  
wherein the magnetic-field generating member includes a plurality of magnetic coils arranged in the directions of three axes, which perpendicularly intersect one another, respectively in the capsule endoscope,  
at least one of the plurality of magnetic coils is configured such that a current selectively supplied thereto in a time series manner to control the movement of the capsule endoscope by the interaction thereof with the magnetic-field generating means,  
the position detecting means detects the position of the capsule endoscope, and  
the moving means automatically controls the movement of the examination table by the examination table drive control unit on the basis of information on the position of the capsule endoscope.”

The amendment to claim 1 is fully supported in the original disclosure, such as at Figure 2 of the Drawings and the accompanying portions of the specification. Thus, no new matter has been introduced into the disclosure by way of the present amendment to independent claim 1.

Thus, claim 1 has been amended to recite an examination table drive control unit which receives input from the position detection means and is configured to control the movement of the examination table based on the input from the position detection means (see Figure 2). The Ueda, Biglieri and Nevo references, either individually or in any proper combination, do not disclose or suggest such features. Biglieri merely discloses a patient

table, which is movable and an imaging means, which is stationary. Nowhere in Biglieri (or Ueda) is it disclosed that the movement of the table is in response to the detecting or tracking of another item. Biglieri merely moves the table as an alternative to moving the magnetic structure for the purpose of imaging the patient with the magnetic structure. Biglieri does not disclose or suggest that the table move in correspondence with the detection of a position of something else, such as the capsule endoscope.

Furthermore, not only is such a feature not shown in any of the cited references, because Biglieri does not disclose or suggest moving the patient table in response to the detection of something in the patient's body, those skilled in the art would not look to Biglieri to combine the same with Ueda.

With regard to the rejection of claim 1 under 35 U.S.C. § 103(a), independent claim 1 is not rendered obvious by the cited references because neither the Ueda patent, the Biglieri patent nor the Nevo patent, whether taken alone or in combination, teach or suggest a capsule endoscope system having the features discussed above and recited in independent claim 1. Accordingly, claim 1 patentably distinguishes over the prior art and is allowable. Consequently, the Examiner is respectfully requested to withdraw the rejection of claim 1 under 35 U.S.C. § 103(a).

Turning now to independent claim 8, in the capsule endoscope system recited therein, a magnetic field is intermittently applied as a pulse signal to the capsule endoscope, and when the magnetic field is applied, the capsule endoscope is moved and power is generated therein. Then, when the magnetic field is not applied to the endoscope, the position of the capsule endoscope is detected by the action of the magnetic coils of the capsule endoscope itself.

That is, external magnetic field generating means applies a magnetic field to the capsule endoscope to selectively cause a current flow in a time series manner in the magnetic coils as magnetic field generating members inside the capsule endoscope, thus driving the capsule endoscope to control its posture and movement.

When the magnetic field is not applied to the capsule endoscope, its position is detected by the action of the magnetic coils of the capsule endoscope itself. Here, it is to be noted that, if an external magnetic field is applied when the position of the capsule endoscope is being detected, the external magnetic field is overlaid to the action of the magnetic coils of the capsule endoscope itself for the position detection, which significantly decreases the precision of the position detection. To solve this problem, the capsule endoscope system recited in claim 8 applies the capsule endoscope with an external magnetic field as a pulse signal, thereby highly precisely detecting the position of the capsule endoscope.

On the other hand, referring to Ueda's recitation and Fig.44 thereof, related to applying a pulse signal and the pulse signal that enables transmitting an image, pointed out by the Examiner, it is seen that the image is sent in the A field and the magnetic field is generated in the B field. However, Ueda does not disclose or suggest whether the magnetic field is intermittently applied as a pulse signal and that the position is detected when the magnetic field is not applied. That is, Ueda does not disclose the connection between the pulse magnetic field that is applied to move the capsule endoscope and to detect its position, and the image transmission signal. Moreover, the invention of Ueda is related to a normal conventional endoscope, not to a capsule endoscope.

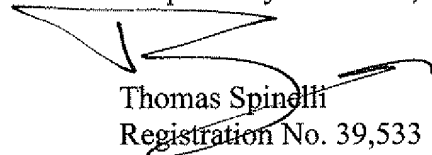
Thus, the invention of Ueda is quite different from the capsule endoscope system recited in claim 8, and Ueda does not disclose or suggest all the features recited therein.

With regard to the rejection of claim 8 under 35 U.S.C. § 103(a), independent claim 8 is not rendered obvious by the cited references because neither the Ueda patent nor the Biglieri patent, whether taken alone or in combination, teach or suggest a capsule endoscope system having the features discussed above and recited in independent claim 8. Accordingly, claim 8 patentably distinguishes over the prior art and is allowable. Consequently, the Examiner is respectfully requested to withdraw the rejection of claim 8 under 35 U.S.C. § 103(a).

Furthermore, as also suggested by the Examiner during the interview, claim 18 has been newly added to further define the patentable invention in terms of a method. New claim 18 is fully supported in the original disclosure. Thus, no new matter has been entered into the disclosure by way of the addition of new claim 18. Applicants respectfully submit that new independent claim 18 patentably distinguishes over the prior art and is allowable.

In view of the above, it is respectfully submitted that this application is in condition for allowance. Accordingly, it is respectfully requested that this application be allowed and a Notice of Allowance issued. If the Examiner believes that a telephone conference with Applicants' attorneys would be advantageous to the disposition of this case, the Examiner is requested to telephone the undersigned.

Respectfully submitted,



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